

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

ROMAN PADILLA,

Petitioner,

v.

Civil No. 07-540 MV/RHS

TIMOTHY HATCH, Warden, et al.,

Respondents.

**ORDER ADOPTING MAGISTRATE JUDGE'S
PROPOSED FINDINGS AND DISMISSING CIVIL PROCEEDING**

THIS MATTER comes before the Court on the Magistrate Judge's Proposed Findings and Recommended Disposition ("PFRD"), filed August 8, 2007 [Doc. No. 10]. Petitioner has filed objections to the PFRD. Having made a *de novo* determination of those portions of the PFRD objected to;

IT IS HEREBY ORDERED that the proposed findings of the United States Magistrate Judge [Doc. No. 10] are adopted by the Court;

IT IS FURTHER ORDERED that Petitioner's Application for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2254 by a Person in State Custody [Doc. No. 1] is hereby **DENIED** and this civil proceeding is **DISMISSED** with prejudice; and

IT IS FURTHER ORDERED that any pending motions are **DENIED** as moot.


UNITED STATES DISTRICT JUDGE